

sold and offered for sale in Porto Rico by the Drug Co. of Porto Rico, San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of camphor, capsicum, myrrh, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the bottle label and in the accompanying circular, were false and fraudulent, since said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Painkiller;" (circular) "Painkiller \* \* \*. Bites and Stings of Poisonous Insects, Scorpions and Centipedes.—Take the Painkiller \* \* \* Continue this until the pain and swelling are gone. \* \* \* Broken or Swollen Breasts and Clogged Milk Passages.—Apply Painkiller \* \* \*. Bronchitis—Take \* \* \* Painkiller \* \* \* until the attack is relieved. \* \* \* inhale the vapor mixture as described for Quinsy or Sore Throat. \* \* \* Chilblains.—Rub in clear Painkiller \* \* \* Cough.—Follow treatment prescribed for Colds, Bronchitis, or La Grippe \* \* \* Cramps, Colic Pains, \* \* \* For an adult, take \* \* \* Painkiller \* \* \* Repeat this dose every twenty minutes, until the pain is relieved. Outward application as described under diarrhoea. For an infant \* \* \* until \* \* \* the pain is relieved \* \* \* Diarrhoea.—Commonly known as 'Summer Complaint.' Take \* \* \* Painkiller \* \* \* Dysentery—Give \* \* \* Painkiller \* \* \* until the pain is relieved \* \* \* 'Grip' or La Grippe.—Give \* \* \* Painkiller \* \* \* If the throat be sore, bind with flannels wet with Painkiller \* \* \* Headache and Sick Headache.—Bathing the head freely with Painkiller will often relieve the most severe attacks of headache. Indigestion \* \* \* Dyspepsia.—Take \* \* \* Painkiller \* \* \* Rheumatic Pains.—Take teaspoonful doses \* \* \* bathe the suffering parts \* \* \* with clear Painkiller. Use the remedy freely. Keep the parts warm and dry with flannels moistened with Painkiller, and wrapped around carefully about the painful places \* \* \* Tonsillitis, Quinsy and Simple Sore Throat.—To relieve the pain put two teaspoonsful of the Painkiller into hot water or milk sweetened with sugar. Gargle the throat with this every half hour. \* \* \* Dampen strips of flannel with Painkiller, and bind around the throat, especially at bedtime. If the attack is severe, wring out the flannel in very hot water, into which a little Painkiller has been put. \* \* \* Whooping Cough.—To relieve the cough, mix \* \* \* Painkiller with \* \* \* sweet oil. \* \* \* apply with the hand, rubbing the mixture thoroughly over the neck and chest \* \* \*. During the paroxysms of coughing give the little patient \* \* \* Painkiller \* \* \* Inhale the steam of hot water and Painkiller mixture, as directed for Tonsillitis." (Similar statements also appeared in Spanish.)

On March 5, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17960. Misbranding of Perry Davis Vegetable Painkiller. U. S. v. 17½ Dozen Bottles of Perry Davis Vegetable Painkiller. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25454. I. S. No. 5721. S. No. 3671.)**

Examination of samples of a drug product, known as Perry Davis Vegetable Painkiller, from the herein-described shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On December 13, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 17½ dozen bottles of the said Perry Davis Vegetable Painkiller, alleging that the article had been shipped by Gabriel J. Fajardo, New York, N. Y., on or about May 16, 1930, to San Juan, P. R., and that it was being sold and offered for sale in Porto Rico by Serra, Garabis & Co. (Inc.), of San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of camphor, capsicum, myrrh, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the

bottle label and in the accompanying circular, were false and fraudulent, since said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Painkiller;" (circular) "Painkiller \* \* \* Bites and Stings of Poisonous Insects, Scorpions and Centipedes.—Take the Painkiller. \* \* \* Continue this until the pain and swelling are gone. \* \* \* Broken or Swollen Breasts and Clogged Milk Passages.—Apply Painkiller \* \* \* Bronchitis.—Take \* \* \* Painkiller \* \* \* until the attack is relieved. \* \* \* inhale the vapor mixture as described for Quinsy or Sore Throat. \* \* \* Chilblains.—Rub in clear Painkiller \* \* \* Cough.—Follow treatment prescribed for Colds, Bronchitis, or La Grippe \* \* \* Cramps, Colic Pains, \* \* \* For an adult, take \* \* \* Painkiller \* \* \* Repeat this dose every twenty minutes, until the pain is relieved. Outward application as described under diarrhoea. For an infant \* \* \* until \* \* \* the pain is relieved \* \* \* Diarrhoea.—Commonly known as 'Summer Complaint.' Take \* \* \* Painkiller \* \* \* Dysentery.—Give \* \* \* Painkiller \* \* \* until the pain is relieved \* \* \* 'Grip' or La Grippe.—Give \* \* \* Painkiller \* \* \* If the throat be sore, bind with flannels wet with Painkiller \* \* \* Headache and Sick Headache.—Bathing the head freely with Painkiller will often relieve the most severe attacks of headache. Indigestion \* \* \* Dyspepsia.—Take \* \* \* Painkiller \* \* \* Rheumatic Pains.—Take teaspoonful doses \* \* \* bathe the suffering parts \* \* \* with clear Painkiller. Use the remedy freely. Keep the parts warm and dry with flannels moistened with Painkiller, and wrapped around carefully about the painful places \* \* \* Tonsillitis, Quinsy and Simple Sore Throat.—To relieve the pain put two teaspoonsful of Painkiller into hot water or milk, sweetened with sugar. Gargle the throat with this every half hour. \* \* \* Dampen strips of flannel with Painkiller, and bind around the throat, especially at bedtime. If the attack is severe, wring out the flannel in very hot water, into which a little Painkiller has been put. \* \* \* Whooping Cough.—To relieve the cough, mix \* \* \* Painkiller with \* \* \* sweet oil \* \* \* apply with the hand, rubbing the mixture thoroughly over the neck and chest \* \* \* During the paroxysms of coughing give the little patient \* \* \* Painkiller \* \* \* Inhale the steam of hot water and Painkiller mixture, as directed for Tonsillitis." (Similar statements also appeared in Spanish.)

On March 5, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17961. Adulteration and misbranding of Lafayette's palatable cod liver oil with malt and hypophosphites. U. S. v. 6 Dozen Bottles of Lafayette Palatable Cod Liver Oil with Malt and Hypophosphites. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25308. I. S. No. 3128. S. No. 3434.)**

Examination of a sample of a drug product, known as Lafayette palatable cod liver oil with malt and hypophosphites, from the herein-described shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, and that it was worthless as a source of cod-liver-oil vitamins, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maine.

On November 17, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of six dozen bottles of Lafayette palatable cod liver oil with malt and hypophosphites, remaining in the original unbroken packages at Portland, Me., alleging that the article had been shipped by Hance Bros. & White (Inc.), from Philadelphia, Pa., on or about September 3, 1930, and had been transported from the State of Pennsylvania into the State of Maine, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of calcium, potassium, sodium, iron, manganese and phosphorus compounds, a small proportion of cinchona alkaloids, sugar, alcohol, and water. Biological examination showed that the article was worthless as a source of the vitamins of cod-liver oil.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely: (Bottle label) "The remedial and stimulating principles of Cod Liver Oil;" and (carton) "The Remedial and stimulating principles of Cod Liver Oil,